

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DARRYL NICKS,

Plaintiff,

-against-

THE CITY OF NEW YORK; COMMISSIONER MARTIN F. HORN; WARDEN JOHN DOE # 1, DEPUTY WARDEN JOHN DOE # 2, SUPERVISOR CORRECTIONS OFFICER JOHN DOES # 1-2; and CORRECTIONS OFFICER JOHN DOES # 1-5; the individual defendants sued individually and in their official capacities,

**DECLARATION OF SERVICE OF SUMMONS AND FIRST AMENDED COMPLAINT ON DEFENDANTS CITY OF NEW YORK & HORN**

07 CV 10596 (WHP) (THK)

Defendants.

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I, MICHAEL OLIVER HUESTON, declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury as follows:

1. I am not a party to this action, I am over 18 years of age, and I reside in the State of New York. On December 3, 2007, at approximately 10:00 a.m., I served the summons and first amended complaint in this matter on defendants CITY OF NEW YORK and MARTIN F. HORN, by delivering a copy of same to DEPUTY UNIT CHIEF JERRY BRADSHAW, a person of suitable age and discretion at defendants' place of business, within the state, at LAW DEPARTMENT OF THE CITY OF NEW YORK, 100 Church Street, New York, New York. This person is a Black male, approximately 45 years old, and approximately 6' 0" tall.

2. On November 30, 2007, I mailed a copy of the summons and first amended complaint post paid by first class mail properly addressed to the defendants at the aforementioned address in an envelope marked personal and confidential and not indicating that the communication was from an attorney or concerned an action against the defendants and deposited said envelope in a post office official depository under exclusive care of the United States Postal Service.

Dated: New York, New York  
December 3, 2007

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MICHAEL O. HUESTON (MH 0931)  
350 Fifth Avenue, Suite 4810  
New York, New York 10118